

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RUIZ FAJARDO INGENIEROS  
ASOCIADOS S.A.S., a foreign corporation,

Plaintiff,

vs.

FLOW INTERNATIONAL  
CORPORATION, a Delaware corporation,

Defendant.

NO. 2:16-CV-01902-RAJ

SPECIAL VERDICT FORM

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We, the jury, return the following verdict:

Question 1: Did the plaintiff prove that the defendant breached the express contractual warranty?

Yes ☒ No ☐

If "YES," go to Question 2.

If "NO," stop here.

Question 2: Did the plaintiff prove that the plaintiff notified the defendant of the breach within a reasonable time?

Yes ☒ No ☐

If "YES," go to Question 4.

If "NO," go to Question 3.

Question 3: Did the plaintiff prove that the defendant waived its right to notice of the breach?

Yes ☐ No ☐

If "YES," go to Question 4.

If "NO," stop here.

Question 4: Did the plaintiff prove that the contractual limited repair or replace remedy failed of its essential purpose?

Yes ☒ No ☐

If "YES," go to Question 5.

If "NO," stop here.

Question 5: What is the amount of plaintiff's damages?

\$ 437,830.00

**SPECIAL VERDICT FORM**

1 Question 6: Did the defendant prove that the plaintiff failed to mitigate its damages?

2 Yes \_\_\_\_\_ No X

3 If "YES," go to Question 7.

4 If "NO," stop here.

5 Question 7: By what amount did the plaintiff fail to mitigate its damages?

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9 Please have the Jury Foreperson sign the form and return to the Court Clerk.

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11 Date: 2/7, 2019

Signed

Jury Foreperson

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SPECIAL VERDICT FORM